IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1280 OF 2005
IN
APPEAL FROM ORDER (STAMP) NO.26459 OF 2005

Shri Sudam Kisan Gamane) ... Applicant

Vs.

Smt. Lata Ashok Kale & Ors) ... Respondents

Ms. P.P. Tendulkar for the Applicant.

Ms. Leena Patil for the Respondents.

CORAM : A.M. KHANWILKAR, J.

DATED : 8TH JUNE, 2006.

P.C.:-

Heard the counsel for the parties. Perused the application. The explanation offered by the applicant for delay of about one year and 128 days will have to be condoned for the simple reason that the applicant was ill-advised to pursue the remedy of appeal. It is obvious that the applicant resorted to that remedy on the basis of incorrect legal advise before the lower court. For the reasons stated in the application being sufficient cause, application is allowed in terms of prayer clause (a).

[A.M. KHANWILKAR, J.]